

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA : **CRIMINAL NO. 13 - _____**
v. : **DATE FILED: _____**
JAMES KENNEDY : **VIOLATIONS:**
: **18 U.S.C. § 1341 (mail fraud - 2 counts)**
: **Notice of Forfeiture**

INDICTMENT

COUNTS ONE AND TWO

THE GRAND JURY CHARGES THAT:

1. From at least in or about June 2007, through in or about February 2011,
defendant

JAMES KENNEDY

devised and intended to devise a scheme to defraud and to obtain money and property by means
of false and fraudulent pretenses, representations, and promises.

2. It was part of the scheme that defendant JAMES KENNEDY wrote checks
to himself or to other persons or entities from his employer's accounts, without his employer's
knowledge or consent, and kept the proceeds for his own use.

3. On or about the following dates, in the Eastern District of Pennsylvania and elsewhere, defendant

JAMES KENNEDY,

for the purpose of executing the scheme described above, knowingly caused to be delivered by mail according to the directions thereon, the following checks, which were written on the account of his employer, each mailing constituting a separate count:

COUNT	DATE	PAYEE	AMOUNT OF CHECK
One	12/18/08	Chase Card Services	\$3,000.00
Two	1/19/10	Chase Card Services	\$500.00

All in violation of Title 18, United States Code, Section 1341.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1341 set forth in this information, defendant

JAMES KENNEDY

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:


- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,
United States Code, Section 981(a)(1)(C).

A TRUE BILL:

GRAND JURY FOREPERSON



ZANE DAVID MEMEGER
United States Attorney